

one final comment, Mr. Speaker. Those of you who believe in the free enterprise system, those of you who believe that the most efficient form of economic organization is a free enterprise system should be voting a hundred percent against these committee amendments and in favor of LB 512 as it is because I suggest to you that credit is too loose in the industry and that the most efficient system would be to let each and every subcontractor and supplier make his credit judgement with regard to the different prime contractors and rely on the normal characteristic remedies that every businessman relies upon and to give him no special remedies such as he now has. This law as it is now in effect is a departure from the free enterprise system and a departure which I submit to you works to the unfairness of homeowners and to everybody's added expense. Thank you.

SPEAKER MARVEL: Senator Pirsch.

SENATOR PIRSCH: Thank you, Mr. Speaker, members of the Legislature, I realize that since Senator Beutler and I introduced a bill last year contemplating a modest change, a notice provision as a matter of fact in our mechanics lien law, that you and we have experienced many pressures. You have read many articles and I am sure you have received many letters both pro and con. At first if you will remember, those who benefit by the present lien law denied there was a problem. There was no problem. When the Judiciary Committee last year amended our bill to completely eliminate the mechanics lien altogether, and they sent it to General File, then suddenly the industry was willing to meet through the interim to discuss the situation and as the Judiciary Committee held hearings across the state and publicity brought more and more people forward who had indeed been hurt and hurt badly by our present unjust law, many senators and even the subcontractors and suppliers themselves at least admitted that there is a problem. Every week more names are added to our list of citizens who have been hit financially by the unfair 100 year old law and now the question that we face is how do we relieve that very real problem. These committee amendments are not the solution. They were offered at the eleventh hour in our committee and they do not protect the homeowner or the buyer and that is the bottom line. The amendment you put on which has called for mandatory lien insurance is not the solution. Although you have received a letter from State Title Services signed by David Hunter, who incidentally has come to every hearing and opposed any change in the mechanics lien law, who comes from a two person office, while we have heard from other title insurance companies around the state who say that title insurance is not the answer and I have a resolution by the Nebraska Land Title